

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

## UNITED STATES DISTRICT COURT

United States Courts  
Southern District of Texas  
FILED

for the

MAY 01 2024

District of

Division

Nathan Ochsner, Clerk of Court

Byron K. Chilton Jr.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Texas Southern University

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Byron K. Chilton Jr.

Street Address

249 Billy Nickliffe Dr.

City and County

Wilmer, Tx.

State and Zip Code

Texas, 75172

Telephone Number

(214) 527-4089

E-mail Address

jr83byronchilton@gmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name Texas Southern (University)  
Job or Title *(if known)* 3131 Cleburn Higher Education Institution  
Street Address 3100 Cleburn St.  
City and County Houston Harris Co.  
State and Zip Code Texas, 77009  
Telephone Number (713) 313-7011  
E-mail Address *(if known)* -

Defendant No. 2

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

Defendant No. 3

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
Job or Title *(if known)* \_\_\_\_\_  
Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-mail Address *(if known)* \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

*It's a UTS 118 Section 8 administration fraud case.*

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

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## b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

*I was given the incorrect grade based on the negative mental narrative the professor displayed at the time of enrollment. The professor was written up and mentioned throughout earlier in the semester. At the time of the final grade, I was given the wrong final exam grade. During the appeal period the course was deleted & other grades was changed.*

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

*Administrative corrections, career financial damages, and legal cost from prior legal representation.*

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5/1/24

Signature of Plaintiff

Printed Name of Plaintiff

Byron K. Chilton Jr.  
Byron K. Chilton Jr.

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

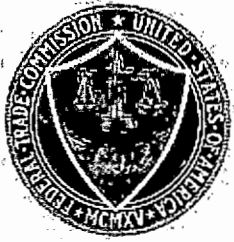
Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, DC 20580

**Sent via Email**

March 21, 2024

Byron K. Chilton Jr.  
249 Billy Wickliffe Drive  
Wilmer, TX 75172  
[Jr83byronchilton@gmail.com](mailto:Jr83byronchilton@gmail.com)

Re: FOIA-2024-00785

Dear Byron K. Chilton Jr.:

This is a response from the Federal Trade Commission ("FTC") to your Freedom of Information Act ("FOIA") request dated March 20, 2024, seeking access to your consumer complaint. Ordinarily, the requested record would be partially exempt from public disclosure under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). However, because you are requesting a copy of your own complaint, that exemption does not apply. In accordance with the FOIA and agency policy, we used appropriate methods to carry out a reasonable, good faith search for responsive records beginning on March 21, 2024. *See Iturralde v. Comptroller of Currency*, 315 F.3d 311, 315 (D.C. Cir. 2003); *see also e.g. Morley v. CIA*, 508 F.3d 1108, 1114 (D.C. Cir. 2007). Accordingly, your request is granted, and the responsive record is enclosed.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Spencer LaFata at [slafata@ftc.gov](mailto:slafata@ftc.gov). If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, or via email at [FOIAAppeal@ftc.gov](mailto:FOIAAppeal@ftc.gov), within 90 days of the date of this letter. Please enclose a copy of your original request and a copy of this response.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or via e-mail at [rgold@ftc.gov](mailto:rgold@ftc.gov); or from the Office of Government Information Services via email at [ogis@nara.gov](mailto:ogis@nara.gov), via fax at 202-741-5769, or via mail at National Archives and Records Administration, Office of Government Information Services, 8601 Adelphi Road, College Park, MD 20740. Please note that the FOIA Public Liaison's role relates to comments, questions, or concerns that a FOIA Requester may have with or about the FOIA Response. The FOIA Public Liaison's role does not relate to acting in matters of private controversy nor can they resolve individual complaints.

Sincerely,

/s/ Burke W. Kappler <sup>(MB)</sup>

Burke W. Kappler  
Acting Assistant General Counsel

Record # 1 / 167925733 / Consumer Sentinel Network Complaint			
<b>Reference Number:</b>	167925733  PDF Images of Consumer's Letters:  &nbsp;  &nbsp; <a href='/WebForms/Common/MailScanImage.aspx?fileLocation=CIS20240118BChilton'target='_blank'>File 1 </a> &nbsp;  &nbsp; <a href='/WebForms/Common/MailScanImage.aspx?fileLocation=CIS20240118Chilton'target='_blank'>File 2 </a> 	<b>Originator Reference Number:</b>	
<b>Language:</b>	English	<b>Contact Type:</b>	Complaint
<b>Source:</b>	Consumer	<b>DNC?:</b>	No
<b>Comments:</b>	Consumer received a release form from the University and releasing him from all liability. Consumer was given the wrong grade and he disputed the grade but it was never deleted from his grade. Consumer never got his grade corrected. Consumer had filed charges against the University. Consumer has lost job opportunities due to the lack of correction of his grades on the behalf of the University. Reporting to FTC due to deceptive business practices. Mail: Update: 1/29/2024 Consumer's complaint was forwarded via CRC Messages. Consumer reports the interest rate has raised on his student loans because of this incident with his grades.fgonzalez Mail: Update: 2/21/2024 Consumer's complaint was forwarded via CRC Messages for an incident documented on this report.fgonzalez		
<b>Additional Comments:</b>			
<b>Complaint disposition provided?:</b>			
<b>Complaint Disposition:</b>			
<b>Data Reference:</b>		<b>Load Date:</b>	01/03/2024 2:01:01 PM
<b>Created By:</b>	MLUMBRERAS	<b>Created Date:</b>	01/03/2024 2:01:01 PM
<b>Updated By:</b>	FGONZALEZ	<b>Updated Date:</b>	02/21/2024 1:41:17 PM
<b>Complaint Source:</b>	FTC Call Center	<b>Product Service Description:</b>	Other Misc.
<b>Amount Requested:</b>		<b>Amount Paid:</b>	
<b>Payment Method:</b>		<b>Agency Contact:</b>	Mail
<b>Complaint Date:</b>	01/03/2024	<b>Transaction Date:</b>	
<b>Initial Contact:</b>	In Person	<b>Initial Response:</b>	
<b>Statute/Rule:</b>	FTC Act Sec 5 (BCP)	<b>Law Violation:</b>	Deception/Misrepresentation
<b>Topic:</b>		<b>Dispute with Credit Bureau?:</b>	



<b>Dispute with Credit Bureau - Responded?:</b>	No	<b>Dispute with Credit Bureau - Resolved to Satisfaction?:</b>	No
<b>Member of armed forces or dependent?:</b>	No	<b>Cross Border Complaint?:</b>	No
<b>Consumer Information</b>			
<b>Consumer Small Business or Organization:</b>			
<b>First Name:</b>	Byron	<b>Last Name:</b>	Thilton Jr
<b>Address 1:</b>	249 Billy Wickliffe Dr	<b>Address 2:</b>	
<b>City:</b>	Wilmer	<b>State:</b>	Texas
<b>Zip:</b>	75172	<b>Country:</b>	UNITED STATES
<b>County:</b>	Dallas	<b>Federal Judicial District:</b>	Texas - Northern
<b>Home Number:</b>		<b>Cell Number:</b>	214-5274689
<b>Work Number:</b>		<b>Ext:</b>	
<b>Fax Number:</b>		<b>Email:</b>	jr83byronchilton@gmail.com
<b>Age Range:</b>	40 - 49	<b>Military Service Branch:</b>	
<b>Soldier Status:</b>		<b>Soldier Station:</b>	
<b>Subject</b>			
<b>Subject:</b>	Texas Southern University	<b>Normalized Name:</b>	Texas Southern University
<b>Address 1:</b>		<b>Address 2:</b>	
<b>City:</b>		<b>State/Prov:</b>	
<b>ZIP:</b>		<b>Country:</b>	
<b>County:</b>		<b>Federal Judicial District:</b>	
<b>Email:</b>		<b>URL:</b>	
<b>Phone Number:</b>	71363131462	<b>Ext:</b>	
<b>Subject ID Type:</b>		<b>Subject ID Issuer State:</b>	
<b>Subject ID Issuer Country:</b>			
<b>Representative:</b>	Melinda Spalding	<b>Title:</b>	



**GENERAL RELEASE**

**This General Release ("Release") is made on the date of the signature below, Between Byron Chilton ("Releasor") and Texas Southern University ("Releasee").**

1. Releasor and anyone claiming on Releasor's behalf releases and forever discharges Releasee and its affiliates, successors, officers, employees, representatives, partners, agents and anyone claiming through them (collectively, the "Released Parties"), in their individual and/or corporate capacities from any and all claims, liabilities, obligations, promises, agreements, disputes, demands, damages, causes of action of any nature and kind, known or unknown, which Releasor has or ever had or may in the future have against Releasee or any of the Released Parties arising out of or relating to:

The Receipt of a completed bachelor's degree from the J. H. Jones School of Business at Texas Southern University ("Claims").

2. In exchange for the release of Claims, Releasee will provide Releasor a bachelor's degree in Business. In consideration of such, Releasor agrees to accept the receipt of a degree as full and complete settlement and satisfaction of any present and prospective claims.

3. This Release shall not be in any way construed as an admission by the Releasee that it has acted wrongfully with respect to Releasor or any other person, that it admits liability or responsibility at any time for any purpose, or that Releasor has any rights whatsoever against the Releasee.

4. This Release shall be binding upon the parties and their respective heirs, administrators, personal representatives, executors, successors and assigns. Releasor has the authority to release the Claims and has not assigned or transferred any Claims to any other party. The provisions of this Release are severable. If any provision is held to be invalid or unenforceable, it shall not affect the validity or enforceability of any other provision. This Release constitutes the entire agreement between the parties and supersedes any and all prior oral or written agreements or understandings between the parties concerning the subject matter of this Release. This Release may not be altered, amended or modified, except by a written document signed by both parties. The terms of this Release shall be governed by and construed in accordance with the laws of the State of Texas and venue shall be proper in Harris County.

5. Releasor also agrees that in consideration of the receipt of the degree, Releasor will not re-enroll or take any class or attempt to enroll for any class or sign up for any credits for any educational purpose at Texas Southern University whether it be on campus or online. Further, Releasor will not have any access or present himself upon the campus premises for any reason. Releasor acknowledges that he will not be allowed on campus, as noticed hereby.

6. Both parties represent they fully understand their right to review all aspects of this Release with attorneys of their choice, that they have had the opportunity to consult with attorneys of their choice, that they have carefully read and fully understand all the provisions of this Release and that they are freely, knowingly, and voluntarily entering into this Release.

SIGNATURE:

\_\_\_\_\_  
Byron Chilton

Date:

**From:** Byron Chilton Jr. <jr83byronchilton@yahoo.com>  
**Sent:** Monday, November 30, 2015 7:46 PM  
**To:** Student Complaints <StudentComplaints@THECB.state.tx.us>  
**Subject:** RE: failure to communicate on investigation on final exam grade!

Typo, not the grade I earned!

Sent from Yahoo Mail on Android

On Mon, Nov 30, 2015 at 7:45 PM, Byron Chilton Jr. <jr83byronchilton@yahoo.com> wrote:  
And in the semester two other coarse grades was changed and not the I earned in that current semester.

Sent from Yahoo Mail on Android

On Mon, Nov 30, 2015 at 7:39 PM, Byron Chilton Jr. <jr83byronchilton@yahoo.com> wrote:  
Typo, my exam was never reviewed by the staff with each appeal. Only graded by the professor, and with later appeals the exam came up missing and witnessed by an administrator but later placed back on my transcript.

Sent from Yahoo Mail on Android

On Mon, Nov 30, 2015 at 7:35 PM, Byron Chilton Jr. <jr83byronchilton@yahoo.com> wrote:  
It wasnt reviewed by the faulty, only graded by the professor but the issue of the appealing the grade was presented to the staff but my exam was never reviewed and with other appeals the exam came up missing and later the grade was deleted.

Sent from Yahoo Mail on Android

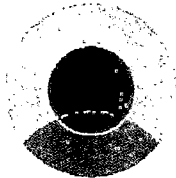


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27m

**Michelle Davis • 3rd**  
Pre-Clinical and Clinical  
Oncology Research Profess...



Message



12h

**Jeff Brice • 3rd**  
Professor of  
Entrepreneurship and Mana...



Message



16h

**Trini Williams • 3rd**  
Resume Writer and  
Proofreader at Come Corre...



Message



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profile in **Private Mode**

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2h

**Jennifer Dennis** • 3rd

Admission Administrator at  
Texas Southern University

Found you via Homepage



Message



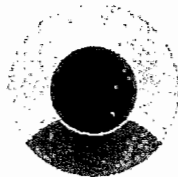
3h

**Bonita Gillis**

Seeking New Opportunities -  
Contract or Employee



Message



11h

**Australia Manning**

Project Accountant



Message



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profile in **Private Mode**

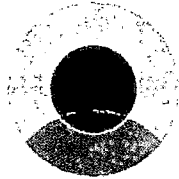
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18h

**Patricia Diane Harris ...**

Senior Budget Analyst at  
Texas Southern University



Message



6d

**Allan Howarth • 3rd**

Student



Message



1w

**Allen Chauncey • 2nd**

Field analyst in electrical  
and electronic application

1 mutual connection

Connect



**2 LinkedIn Members**

These people viewed your  
profile in **Private Mode**

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